IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.429 OF 2004

Prakash Nivrutti Pawar
& Others .. Appellants

vs.

Jagannath Ramchandra Patil
& Others .. Respondents

Shri M.K.Deshpande, i/b.Thomas Jacob,Advocate for the Appellants.

CORAM : A.S.OKA, J.

DATED : 16th March, 2005.

P.C. :

1. On the payer made by Shri Deshpande order dated 15.3.2004 is set aside and Appeal from Order is restored.

2. Shri Deshpande submits that the Appeal from Order is not maintainable and therefore he may be permitted to withdraw the appeal with liberty to file appropriate proceeding for challenging the impugned order.

3. Accordingly appeal is dismissed as withdrawn. No withstanding dismissal of the appeal it will be open for the Appellants to file appropriate proceeding for challenging the impugned order.

(A.S.Oka,J.)